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MEMO ENDORSED

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December 18, 2012

VIA HAND DELIVERY

Hon. Lewis A. Kaplan
United States District Judge
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007-1312

Re: Chevron Corp. v. Donziger, et al., Case No. 11 Civ. 0691(LAK)

Dear Judge Kaplan:

I write as counsel for Plaintiff Chevron Corporation (“Chevron”) in response to the Order issued December 13, 2012, by Judge Sharpe of the Northern District of New York. The December 13 order states that your Honor will sit by designation in the Northern District of New York for the purpose of resolving two motions to quash. The motions relate to a subpoena that Chevron served on Microsoft Corporation to obtain certain information about email accounts that were identified in the course of discovery in the above-referenced action (the “Microsoft Subpoena”). The motions have been assigned Case No. 1:12-mc-65 in the Northern District of New York.¹

These two motions were filed on October 19 and October 22, respectively. Chevron has not filed a formal response to these motions to date, based on Northern District of New York Local Rule 7.1(b)(1) and instructions from the clerk's office in the Northern District that oppositions are not due until a hearing date for the motions is set.

As the motions have now been assigned to Your Honor, Chevron respectfully requests that the Court set a hearing date and briefing schedule for both motions in accordance with the Local Rules and Your Honor's Individual Practices.

We appreciate the Court's consideration.

Judge Sharpe's December 13 Reassignment Order is attached hereto as Exhibit A.

Docket in NDNY
12 MK 65

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Respectfully,


Randy M. Mastro

cc: All Counsel of Record

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*Exponing papers
shall be filed
on or before
Jan. 15, 2013*

SO ORDERED

LEWIS A. KAPLAN, USDJ

12/19/12